

TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference R-79	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/JP2004/014440	International filing date (day/month/year) 24.09.2004	Priority date (day/month/year) 24.09.2003
International Patent Classification (IPC) or national classification and IPC F16K49/00		
Applicant FUJIKIN INCORPORATED		

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of _____ sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>																									
<p>4. This report contains indications relating to the following items:</p> <table><tr><td><input checked="" type="checkbox"/></td><td>Box No. I</td><td>Basis of the report</td></tr><tr><td><input type="checkbox"/></td><td>Box No. II</td><td>Priority</td></tr><tr><td><input type="checkbox"/></td><td>Box No. III</td><td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td></tr><tr><td><input type="checkbox"/></td><td>Box No. IV</td><td>Lack of unity of invention</td></tr><tr><td><input checked="" type="checkbox"/></td><td>Box No. V</td><td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VI</td><td>Certain documents cited</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VII</td><td>Certain defects in the international application</td></tr><tr><td><input type="checkbox"/></td><td>Box No. VIII</td><td>Certain observations on the international application</td></tr></table>		<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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Date of submission of the demand	Date of completion of this report																								
Name and mailing address of the IPEA/JP	Authorized officer																								
Facsimile No.	Telephone No.																								

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
 - ☐ international search (Rule 12.3 and 23.1(b))
 - ☐ publication of the international application (Rule 12.4)
 - ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
 - ☒ the international application as originally filed/furnished
 - ☐ the description:
 - pages _____ as originally filed/furnished
 - pages* _____ received by this Authority on _____
 - pages* _____ received by this Authority on _____
 - ☐ the claims:
 - nos. _____ as originally filed/furnished
 - nos.* _____ as amended (together with any statement) under Article 19
 - nos.* _____ received by this Authority on _____
 - nos.* _____ received by this Authority on _____
 - ☐ the drawings:
 - sheets _____ as originally filed/furnished
 - sheets* _____ received by this Authority on _____
 - sheets* _____ received by this Authority on _____
 - ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
 - ☐ the description, pages _____
 - ☐ the claims, nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (*specify*): _____
 - ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - ☐ the description, pages _____
 - ☐ the claims, nos. _____
 - ☐ the drawings, sheets/figs _____
 - ☐ the sequence listing (*specify*): _____
 - ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	<u>1-3</u>	YES
	Claims		NO
Inventive step (IS)	Claims		YES
	Claims	<u>1-3</u>	NO
Industrial applicability (IA)	Claims	<u>1-3</u>	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
Citations			
Document 1: JP 10-299943 A (Fujikin Inc.), 13 November 1998, entire text and fig. 1 to 8			
Document 2: JP 5-60264 A (Kokusai Electric Co., Ltd.), 09 March 1993, entire text and fig. 1 to 2			
Claim 1			
Documents 1 and 2			
<p>Document 1 discloses a heating method and a heating device for heating a fluid controller by means of a heating unit that comprises a pair of holding members (14 and 15) with heaters (12) housed therein, which clamp onto both sides of the fluid controller (1) to be heated, wherein said device comprises protruding couplers (6) on the side surfaces of the block-shaped body (2) and is further equipped with an operation driving unit (3) on the top surface of the block-shaped body (2).</p>			
<p>Meanwhile, document 2 (refer to page 3, paragraph [0024]) discloses a method for heating a fluid controller whereby the body (2) of the fluid controller (refer to the drawings) is heated via both of the side surfaces thereof (refer to the valve box heater (31)) while</p>			

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controlling the temperature of the bottom surface (refer to the drawings) of the body (2) (refer to the temperature sensor (32)).

Such being the case, it is considered to have been obvious to a person skilled in the art of the technical field in question to configure the invention that is set forth in claim 1 by applying a heating method like the method disclosed in document 2, which controls the temperature of the bottom surface during the heating process, as the method for heating a fluid controller in the invention that is disclosed in document 1. Consequently, the invention that is set forth in claim 1 cannot be considered to involve an inventive step.

Claims 2 and 3

Documents 1 and 2

In the fluid controller heating device that is disclosed in document 1, the holding members (14 and 15) are provide with coupler accommodating recesses (accommodating recesses (22)) for accommodating the couplers (6). Furthermore, the heating unit that is disclosed in document 1 can be considered to be capable of heating not only the body of the fluid controller but also the couplers in the light of the configuration of the fluid controller heating device that is disclosed in document 1.

In addition, configuring so that the fluid controller heating device disclosed in document 1 increases the temperature of a prescribed section or, in other words, heats the bottom surface side of both of the side surfaces of the body, the top surface side of both of the side surfaces of the body and the center section

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
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of both of the side surfaces of the body in a manner such that the center sections of the side surfaces of the body achieve a relatively high temperature is considered to be a design matter that could have been configured by a person skilled in the art of the technical field in question.

Consequently, the inventions that are set forth in claims 2 and 3 cannot be considered to involve an inventive step.